



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

**MEMO ENDORSED**

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

February 24, 2021

**By ECF and Email**

The Honorable Katherine Polk Failla  
Thurgood Marshall  
United States Courthouse  
40 Foley Street  
New York, New York 10007

**Re: *United States v. Clifford Taylor*, 19 Cr. 410 (KPF)**

Dear Judge Failla:

A change-of-plea proceeding is scheduled in the above-captioned case for March 3, 2021, at 11:00 a.m. To allow the defendant an opportunity to achieve COVID-19 vaccination prior to entering a plea of guilty, the parties respectfully request that the Court:

1. Adjourn the upcoming change-of-plea proceeding for sixty days, or until a date and time that is convenient for the Court;
2. Modify the terms of bail for Clifford Taylor, the defendant, to require him to achieve COVID-19 vaccination within sixty days (*i.e.*, have administered all prescribed doses of an FDA-authorized COVID-19 vaccine and adhere to any prescribed course of action such as remaining in quarantine for any period of days following administration of the vaccine), without prejudice to Mr. Taylor making a future application to extend the time for him to achieve COVID-19 vaccination (and further adjourn the change-of-plea proceeding) provided he can demonstrate prior and ongoing good faith efforts to achieve COVID-19 vaccination; and
3. Dismiss without prejudice the defendant's motion to continue bond pending sentencing pursuant to 18 U.S.C. § 3145(c), dated February 23, 2021 (ECF No. 140), which was premised on the risk Mr. Taylor may face in custody of contracting, and suffering complications from, COVID-19.

[Intentionally left blank]

The Government further requests, with defense counsel's consent, that the time between March 3, 2021 and any future change-of-plea proceeding set by the Court be excluded pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), so that the defendant may achieve COVID-19 vaccination prior to entering a plea of guilty and possibly being remanded to custody. The Government respectfully submits that the proposed exclusion would be in the interest of justice.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

By: /s/ Daniel H. Wolf  
Assistant United States Attorney  
(212) 637-2337

cc: Florian Miedel, Esq. (by ECF and email)

Application GRANTED. The change of plea proceeding scheduled for March 3, 2021, is ADJOURNED to **May 5, 2021, at 3:00 p.m.** in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007.

Mr. Taylor is directed to achieve COVID-19 vaccination and complete any associated protocols within that time period, without prejudice to a request for additional time if needed in good faith. The biweekly status updates to the Court shall detail Mr. Taylor's efforts to achieve vaccination.

Mr. Taylor's motion to continue bond pending sentencing pursuant to 18 U.S.C. § 3145(c), dated February 23, 2021 (Dkt. #140), is DENIED without prejudice to later renewal.

It is further ORDERED that time is excluded under the Speedy Trial Act through **May 5, 2021**. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will permit Mr. Taylor to achieve COVID-19 vaccination prior to entering a plea of guilty and possibly being remanded to custody.

Dated: February 25, 2021  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE